UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN LYON,

Plaintiff,

v.

TG THERAPEUTICS, INC., MICHAEL S. WEISS, SEAN A. POWER, and ROBERT NIECESTRO,

Defendants.

1:17-cv-00112-VM

USDC SDNY
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ELECTRONICALLY FILED
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DATE FILED: 2/14/17

KENNETH C. WYZGOSKI,

Plaintiff,

v.

TG THERAPEUTICS, INC., MICHAEL S. WEISS, SEAN A. POWER, and ROBERT NIECESTRO,

Defendants.

1:17-cv-00508-VM

STIPULATION AND ORDER

WHEREAS, Plaintiff John Lyon ("Lyon") filed a putative Class Action Complaint (the "Lyon Complaint") in Case No. 1:17-cv-00112-VM (S.D.N.Y.) on January 6, 2017, alleging violations of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder;

WHEREAS, Plaintiff Kenneth C. Wyzgoski ("Wyzgoski" and, together with Lyon, "Plaintiffs") filed a putative Class Action Complaint (the "Wyzgoski Complaint") in Case No. 1:17-cv-00508-VM (S.D.N.Y.) on January 24, 2017, alleging violations of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder, and designated his case as related to the case commenced by Lyon;

WHEREAS, on January 27, 2017, the Court accepted the case commenced by Wyzgoski as related to the case commenced by Lyon;

WHEREAS, the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4 (the "PSLRA"), provides that (i) not later than 20 days after the date on which the first complaint in a private putative securities class action is filed, the plaintiff shall publish a notice advising members of the purported plaintiff class, (ii) not later than 60 days after the date on which the notice is published any member of the purported class may move the Court to serve as lead plaintiff of the purported class, and (iii) not later than 90 days after the date on which the notice is published the Court shall appoint the "most adequate plaintiff" as lead plaintiff for the putative class ("Lead Plaintiff");

WHEREAS, it is customary in putative securities class actions under the PSLRA for the appointed Lead Plaintiff to file a Consolidated Amended Complaint or to designate an existing complaint as operative; and

WHEREAS, Plaintiffs and Defendants (collectively, the "Parties") have met and conferred and, for the convenience of all Parties and the Court, hereby enter into the following stipulation regarding the schedule in this matter;

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for the Parties, that:

1. Counsel for Defendants hereby accepts service of the Lyon Complaint and the Wyzgoski Complaint on behalf of all Defendants for notice purposes only, but Defendants shall not be required to answer, move or otherwise respond to the Lyon Complaint or the Wyzgoski Complaint, but rather shall answer, move or otherwise respond only as to a single Consolidated Amended Complaint or designated operative complaint as set forth below.

2. Within 14 days after the Court enters an order appointing Lead Plaintiff and Lead Plaintiff's counsel ("Lead Counsel"), counsel for Defendants and Lead Counsel shall confer and jointly submit a proposed schedule for the filing of a Consolidated Amended Complaint or the designation of an operative complaint, and for the time for Defendants to answer, move or otherwise respond to that complaint.

3. By entering into this stipulation, Defendants shall not be deemed to have appeared in this action, and do not waive any rights or defenses, including, but not limited to, affirmative defenses and defenses to venue and jurisdiction, that any of them may have in this Action.

Dated: New York, New York
February 13, 2017

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Counsel for Defendants

Dated: New York, New York
February 14, 2017

SO ORDERED:

Hon. Victor Marrero, U.S.D.J.